

**ATTORNEY'S DOCKET NUMBER: 2006517-0009 (Bacterial Delivery DIV1)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Caplan et al.	Examiner:	Huynh
Serial No.:	10/728,051	Art Unit:	1644
Filing Date:	December 4, 2003		
Title:	MICROBIAL DELIVERY SYSTEM		

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE UNDER 37 C.F.R. § 1.116**

Responsive to the Final Office Action mailed April 16, 2008, Applicant respectfully requests entrance of the following Amendment and consideration of the following Remarks. The deadline for responding to the Office Action without fees was July 16, 2008. A three-month extension of time from July 16, 2008, up to and including October 16, 2008 is hereby respectfully requested, and the extension fee of \$555.00 under 37 C.F.R. § 1.17(a) for a small entity is being paid via the U.S. Patent and Trademark Office's Electronic Filing System's credit card payment option. Applicant thus submits that the present Response is timely submitted on Thursday, October 16, 2008.

Please amend the above-identified application as follows:

**Listing of the Claims** begins on page 2 of this Response.

**Remarks** begin on page 4 of this Response.